

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Rodney R. Moore,

Plaintiff,

v.

Officer C. Moss,

Defendant.

C/A No. 6:19-cv-1603-JFA-KFM

ORDER

The *pro se* plaintiff, Rodney R. Moore (“Plaintiff”), brought this action pursuant to 42 U.S.C. § 1983 against Charleston County Detention Center Officer C. Moss (“Defendant”) alleging violations of his civil and constitutional rights. On August 15, 2019 Defendant filed a motion to dismiss. (ECF No. 20). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.), the matter was referred to the Magistrate Judge for review.

The Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”) and opines that this Court should grant Defendant’s motion to dismiss the complaint as Plaintiff has already litigated and resolved these same claims in South Carolina state court. (ECF No. 39). The Report sets forth, in detail, the relevant

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

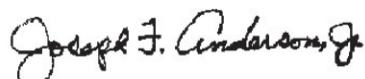
facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Plaintiff was advised of his right to object to the Report, which was entered on the docket on December 3, 2019. (ECF No. 39). The Magistrate Judge required Plaintiff to file objections by December 17, 2019. *Id.* However, Plaintiff failed to file any objections or otherwise respond. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Therefore, the Report is incorporated herein by reference. (ECF No. 39). Consequently, Defendant's motion to dismiss (ECF No. 20) is granted.

IT IS SO ORDERED.

December 30, 2019
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge